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ARTZ ARTZ LAW OFFICES RECEIVED **CENTRAL FAX CENTER** JUL 0 7 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Neil E. Robb et al.

Serial No.:

10/604,929

Group Art Unit:

3747

Filed:

August 27, 2003

Examiner:

Noah P. Kamen

For:

HYDRAULIC FAN DRIVE SYSTEM EMPLOYING

BINARY CONTROL STRATEGY

Attorney Docket No.:

DKT 02183 (BWA 0251 PUS)

I hereby certify that this correspondence is being sent via facsimile to: Attn: Noah P. Kamen, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 fax number (703) 872-9306 on:

July 7, 2005 Date of Deposit Angie Moscowitz

AMENDMENT AND REQUEST FOR RECONSIDERATION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This paper responds to the Office Action in the above-entitled application, mailed May 10, 2005 and allowing two months for response.

The Applicants will address all the points raised by the Examiner and demonstrate that the present invention is patentable.

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PTO/SB/21 (09-04) Approved for use through 07/31/2008. OMB 0861-0031 U.S. Patent and Trademark Officer, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to collection of information unless it displays a valid OMB control number. **Application Number** 10/604,929 Filing Date TRANSMITTAL August 27, 2003 First Named Inventor FORM Neil E. Robb, et al. Art Until 3747 Examiner Name Noah P. Kamen (to be used for all correspondence after initial filling) Allomey Docket Number DKT 02183 (BWA 0251 PUS) Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC |**|**| Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC 1 Pelition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Altorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify **Terminal Disclaimer** Extension of Time Request below): Disclosure Statement; 1 foreign reference Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD **Certified Copy of Priority** Remarks Document(s) RECEIVED Reply to Missing Parts/ OIPE/IAP Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 JUL **0 8** 2005 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Artz & Artz, P.C. Signature Printed name Steven W. Hays Date Reg. No. July 7, 2005 41.623 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date Typed or orinted name Angie Mo July 7, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the IndMdual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	Application Number		10/604,929								
FEE	Filing Date		August 27, 2003								
	First Named Inventor		Neil E. Robb, et al.								
Applicant claim	Examiner Name		Noah P. Kamen								
	Art Unit		3747								
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METHOD OF PAYMENT (check all that apply)											
Check C	Check Credit Card Money Order None Other (please identify):										
Deposit Account Deposit Account Number: 50-0476 Deposit Account Name: John A. Artz, P.C.											
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)											
Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling fee											
Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.18 and 1.17 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.											
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3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets											
Other: IDS Disclosure Fee \$180.00											
UBMITTED BY											
ignature	> tan	w. 1/p		Registration No. (Attorney/Agent)	41,823		Telephone 2	48-223	3-9500		

Name (Print/Type) Steven W. Hays Date July 7, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete underly completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce. P.O. Box 1450. Alexandris, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	Non-English Specification, \$130 fee (no small entity discount)										
Other: IDS Disclosure Fee \$180.00											
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Signature	ta	~w.1	10	Régis	Iration No. 41,8	23	Telephone 2	48-22	23-9500		
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